

MEMORANDUM

TO: Authority Board of Directors
FROM: William A. Rabbia, Executive Director
DATE: February 21, 2020
RE: Meeting Notice & Tentative Agenda - Monday, March 16, 2020 - 4:30 PM

1. Pledge of Allegiance
2. Approval of December 16, 2019 Authority Minutes
3. Public Comment Period
4. Independent Audit - Brendan Kennedy, Partner, BST & Co.
5. Reconciliation of 2019 Budget and 2019 Budget Amendments – Resolution
6. Cell 4 Construction Award – Resolution
7. NYSDEC Landfill Gas Management Project (Capping) Application for State Assistance – Resolution
8. Approval of Professional Services Agreement with Environmental Attributes for the Sale of Carbon Credits Under CAR Protocol 5.0 – Resolution
9. Mission Statement/Performance Measure Report – Resolution
10. Annual Board of Directors Evaluation – Resolution
11. Reappointment of Contracting Officer and Approval of Property Disposition Policy - Resolution
12. Approval of Procurement Policy and Designation of Sole Source Vendors – Resolution
13. Public Authorities Reporting Information System (PARIS) Authorization – Resolution
14. Approval of Code of Ethics Policy and Fraud Policy – Resolution
15. Livestreaming/Videoconferencing of Public Meetings – Resolution
16. Amendment to Authority Bylaws – Resolution
17. Updates:
 - Western Transfer Station Renovation Project
 - Earth Day Events - April 18th

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AUTHORITY MEETING MINUTES
December 16, 2019

DRAFT

Board Members Present: Chairman Ken Long, Vice Chairman Vincent Bono, Treasurer Harry Hertline, Neil Angell, James D’Onofrio, James Franco, Barbara Freeman, Nancy Novak, Richard Redmond and Jim Williams

Authority Staff Present: Bill Rabbia, Jodi Tuttle, Emily Albright, Joe Artessa, Jim Biamonte, Pat Lisandrelli, Andy Opperman, Joshua Olbrys, Bill Schrader and Jamie Tuttle

Others Present: Kevin Martin, Esq. and Compassion Coalition Representatives Rachel Daughtry and Joe Swift

Chairman Long called the December 16, 2019 Authority meeting to order at 4:32 PM and opened with the Pledge of Allegiance.

A motion was made by Mr. Williams, seconded by Mr. Bono and passed to approve the November 18, 2019 Authority Minutes.

There were no speakers for public comment period.

Director of Recycling Emily Albright introduced Compassion Coalition Director of Agency Relations Rachel Daughtry and Director of Finance and Administration Joe Swift. Ms. Albright said that the Authority annually recognizes individuals, institutions or industries that have taken the initiative to reduce their solid waste stream through reduction, recycling and proper disposal. This year, the Authority is honoring the Compassion Coalition as its 2019 Recycling Champion. The Compassion Coalition has a long history of environmental stewardship and has been recycling and reusing for years. Ms. Albright stated that the Compassion Coalition has diverted more than 34 tons of food waste from the Regional Landfill through the Authority’s Food2Energy program and has donated approximately 5,000 pounds a week of unsold foods to local pig and chicken farmers for animal food. In December 2018, the Compassion Coalition received RecycleOne Business Certification through the Authority.

Resolution No. 17 was introduced by Ms. Freeman, seconded by Mr. Angell and passed [10 Ayes] commending the Compassion Coalition as the Authority’s 2019 Recycling Champion. Authority Secretary Jodi Tuttle read Resolution No. 17 aloud.

Resolution No. 18 was introduced by Mr. Bono, seconded by Mr. Hertline and passed [10 Ayes] approving the Authority’s proposed 2020 budget, 2020 rate schedule and Solid Waste Collection and Disposal Permit Rules and Regulations.

Comptroller Joe Artessa said that Resolution No. 19 would authorize 2019 budget transfers needed for unanticipated expenses to cover sorter positions funded in the salaries account but utilizing temporary agency staff, additional tire disposal costs and retirement costs related to GASB #68 at the Recycling Center; additional

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salary expenses due to the employee Union Contract settlement and additional funds needed in Utica Waste Collection expense lines; retirement costs related to GASB #68 and additional funds needed in Administration expense lines; supplemental appropriations for transportation of material and leachate disposal at the Regional Landfill and additional funds to cover retirement costs related to GASB #68; additional funds needed in the Eastern Transfer Station expense lines and retirement costs related to GASB #68; and additional funds needed in the Western Transfer Station and Household Hazardous Waste expense lines.

Resolution No. 19 was introduced by Mr. Angell, seconded by Mr. Williams and passed [10 Ayes] authorizing 2019 budget transfers.

Mr. Rabbia said that Resolution No. 20 would authorize another one-year agreement for bird and nuisance wildlife management at Authority facilities with the U.S. Department of Agriculture (USDA) Animal and Plant Health Inspection Service (APHIS) Wildlife Services (WS).

Resolution No. 20 was introduced by Mr. Bono, seconded by Mr. Redmond and passed [10 Ayes] awarding a one-year intergovernmental agreement to USDA-APHIS-WS for nuisance wildlife management.

Mr. Rabbia said that the Authority issued a Final Request For Proposals (RFP) on November 20, 2019 to purchase and/or market various categories of recyclable paper commodities. The Authority received four proposals in response to the RFP which were evaluated based on price and other factors. Mr. Rabbia noted that this is a 120-w procurement which provides the opportunity for negotiation. A financial analysis of the bids received was posted to the Board portal. Staff is recommending that the Authority accept the proposal submitted by Waste Management Recycle America (WMRA). Mr. Rabbia noted that the current vendor, WMRA, has provided good service in the past.

Resolution No. 21 was introduced by Ms. Freeman, seconded by Ms. Novak and passed [10 Ayes] accepting the proposal of WMRA for paper recyclables and directing the Executive Director and Authority Counsel to finalize and execute a five-year contract with WMRA.

Mr. Rabbia said that Resolution No. 22 would award contracts for the Western Transfer Station (WTS) renovation project. The continual and future use of the WTS requires a renovation of the current building structure, systems and employee work areas. Mr. Rabbia noted that in 2019 the Board approved the use of unrestricted reserves through a 2019 budget amendment for WTS Capital projects. Final design and specifications for the project for general construction, mechanical construction, plumbing construction and electrical construction were completed by Barton & Loguidice and an advertisement for sealed bids was issued in compliance with General Municipal Law Section 103 on November 25, 2019. On December 5, 2019 a mandatory pre-bid meeting was held and on December 12, 2019 bids were received and opened. Bids were evaluated for compliance with the specifications, the contractors' qualifications confirmed and reference projects check. Bids by Beebe Construction Services for general construction; H.R. Brandeles Corp. for mechanical and plumbing construction; and Oneida Electrical Contractors for electrical construction have been determined to be qualified and acceptable low bids.

Resolution No. 22 was introduced by Mr. D'Onofrio, seconded by Mr. Bono and passed [10 Ayes] awarding contracts for the WTS renovation project to Beebe Construction Services for \$885,400 for Contract 19-002A General Construction; H.R. Brandeles Corp. for \$108,000 for Contract 19-002B Mechanical Construction; H.R. Brandeles Corp. for \$41,400 for Contract 19-003C Plumbing Construction; and Oneida Electrical Contractors for \$178,908 for Contract 19-002D Electrical Construction.

AUTHORITY MEETING MINUTES

December 16, 2019

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Mr. Rabbia said that Resolution No. 23 would authorize the Authority to enter into a service agreement for the transportation of wastewater by-products from the Rome Water Pollution Control Facility (RWPCF) and the Oneida County Water Quality and Water Pollution Control Facility (OCWQWPC). The Regional Landfill (RLF) provides for environmentally sound disposal of wastewater treatment by-products (i.e., bio solids and sludge) and both facilities have utilized the RLF for that purpose since 2006. Pursuant to Section 103 of New York General Municipal Law, the Authority issued an RFP dated November 9, 2019, for the transportation of wastewater treatment by-products from RWPCF and OCWQWPC for a term commencing on January 1, 2020 and terminating three years from that date with two additional one-year extensions, not to exceed five total years. The Authority received four proposals. The bid analysis was posted on the Board portal. Rauscher Bros. Inc. was determined by Authority staff to be the lowest responsible bidder. Authority staff is recommending that the Authority enter into a service agreement with Rauscher Bros. Inc. Mr. Rabbia noted that Rauscher Bros. would utilize Authority trailers to transport.

Resolution No. 23 was introduced by Mr. Hertline, seconded by Mr. Franco and passed to enter into an agreement with Rauscher Bros. Inc., for transportation service of wastewater treatment by-products.

Resolution No. 24 was introduced by Mr. Bono, seconded by Mr. Williams and passed to establish the following regular meetings dates for 2020: March 16th, May 11th, June 15th, September 21st, November 16th and December 21st; and designating the Utica Observer-Dispatch, the Rome Daily Sentinel, and the Times Telegram for publication of all official notices of the Authority; and directing the Authority Secretary to post all official notices on the Authority's web site.

Resolution No. 25 was introduced by Mr. Redmond, seconded by Mr. Angell and passed electing the following slate of officers and committee members for 2020: Slate of Officers: Ken Long, Chairman; Vincent Bono, Vice Chairman; and Harry Hertline, Treasurer; Audit Committee: Harry Hertline, Chair; Vincent Bono, Vice Chair; and Neil Angell; Finance Committee: Harry Hertline, Chair; Vincent Bono, Vice Chair; and Neil Angell; Governance Committee: Barbara Freeman, Chair; James Williams and Nancy Novak; and FOIL Appeals Committee: James D'Onofrio, Chair; Barbara Freeman and James Franco.

At 5:07 PM, with no further business, a motion was made by Ms. Freeman, seconded by Mr. D'Onofrio and passed to adjourn the meeting.

Respectfully submitted,

Jodi M. Tuttle
Authority Secretary

Introductory No. 1

Resolution No. 1

Introduced by:

Seconded by:

RE: RECONCILIATION OF 2019 BUDGET AND 2019 BUDGET AMENDMENTS TO REFLECT 2019 ACTUAL

WHEREAS, the Authority Board, by Resolution No. 16 dated December 17, 2018 adopted the 2019 Budget; and

WHEREAS, the Authority Board approved budget transfers and/or amendments to the 2019 Budget by Resolutions No. 13 and No. 14 dated June 17, 2019 and No. 19 dated December 16, 2019; and

WHEREAS, the changes to total revenues and expenses for 2019 were included in the completed independent audited financial statements issued in March of 2020 and it is necessary to reconcile the 2019 Budget to the 2019 audited financial statements; now, therefore, be it

RESOLVED, that for purposes of the rate covenant compliance report for the Series 2006 bonds and Series 2011 bonds, the 2019 Budget shall reflect actual 2019 expenses as audited.

Adopted by the following vote:

AYES__ NAYS__

Dated:

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Introductory No.

Resolution No. 2

Introduced by:

Seconded by:

RE: AWARD OF CONTRACT TO KUBRICKY CONSTRUCTION FOR \$5,643,000 FOR CELL 4 LINER SYSTEM CONSTRUCTION AT THE ONEIDA-HERKIMER REGIONAL LANDFILL

WHEREAS, the Oneida-Herkimer Solid Waste Management Authority owns and, pursuant to New York State Department of Environmental Conservation Permit Number 6-3024-00009/00007 (the “Permit”), operates the Oneida-Herkimer Regional Landfill in Ava, NY (the “Landfill”); and

WHEREAS, New York State Regulations and the Permit require that the Landfill have at least one additional landfill cell available for use at all times; and

WHEREAS, projections for the fill progression at the Landfill provided to the Authority by the Authority’s consulting engineers, Barton & LoGuidice, predict the need for the availability of an additional cell, necessitating the construction of that cell in 2020; and

WHEREAS, Authority staff, as well as Barton & LoGuidice considered and reviewed the location and configuration of the next cell construction and concluded that the most cost effective expansion of the Landfill was the construction of “Cell 4” (as the cells were numbered on the original plans of the landfill submitted in the permit application); and

WHEREAS, the size, location and construction of Cell 4 were elements of the plans prepared and submitted to the New York State Department of Environmental Conservation (“NYSDEC”) during the Authority’s comprehensive landfill siting process, which included review of compliance with all the requirements of the New York State Environmental Quality Review Act (SEQRA); and

WHEREAS, Barton & Loguidice has completed design for the Cell 4 liner system; and

WHEREAS, NYSDEC will approve and authorize construction of Cell 4 and certify the design as fully compliant with the New York State Part 360 Solid Waste Regulations, prior to construction; and

WHEREAS, sealed bids for Cell 4 construction were solicited in compliance with General Municipal Law Section 103; and

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WHEREAS, in compliance with the solicitation and General Municipal Law, a pre-bid meeting was held with prospective bidders to explain the project and answer questions related to the project; and

WHEREAS, on March 6, 2020, bids were received and opened from the following companies for Cell 4 construction, with the results as follows:

Bidder & Address	Total
Adhan Piping Co., Inc., Cortland, NY	\$5,747,000.00
Barbella Construction Services, Sommerville, NJ	\$9,125,000.00
Kubricky Construction, Queensbury, NY	\$5,643,000.00
Gorrick Construction Co.	\$6,488,000.00
Zoladz Construction Co., Ins.	\$6,368,000.00

; and

WHEREAS, each bid has been evaluated for compliance with the specifications for the project promulgated by Barton & LoGuidice; each contractor's qualifications have been confirmed; and reference projects have been checked; and

WHEREAS, the bid price received by Kubricky Construction has been determined to be an acceptable low bid; now, therefore, be it

RESOLVED, that the Authority Board accepts and approves the lump sum total bid submitted by Kubricky Construction and hereby awards a contract for the completion of the work specified in the bid; and further be it

RESOLVED, that the Board directs the Executive Director and Authority Counsel to take all action necessary to implement this award and complete this work.

Adopted by the following vote:

AYES__ NAYS__

Dated:

Preserving the environment through integrated recovery and disposal.

Introductory No.

Resolution No. 3

Introduced by:

Seconded by:

RE: AUTHORIZING THE FILING OF AN APPLICATION FOR STATE ASSISTANCE FOR LANDFILL GAS MANAGEMENT PROJECT AND SIGNING OF THE ASSOCIATED STATE CONTRACT, PURSUANT TO TITLE 5 OF ARTICLE 54 AND TITLE 4 OF ARTICLE 56 OF THE NEW YORK STATE ENVIRONMENTAL CONSERVATION LAW

WHEREAS, the Oneida-Herkimer Solid Waste Management Authority, herein called “Municipality” has hereby determined that certain work, as described in the State assistance application and any amendments thereof, herein called the “Project” is desirable and in the public interest; and

WHEREAS, Title 5 of Article 54 and Title 4 of Article 56 of the Environmental Conservation Law authorized State assistance payments to municipalities for the management of landfill gas by means of a written agreement and the Municipality deems it to be in the public interest and benefit under this law to apply therewith; now, therefore, be it

RESOLVED, by the Oneida-Herkimer Solid Waste Management Authority Board of Directors

1. That the filing of an application in the form required by the State of New York in conformity with the applicable laws of the State of New York including all understanding and assurances contained in said application is hereby authorized.
2. That William A. Rabbia, Executive Director, is directed and authorized as the official representative for the Municipality to act in connection with the application and to provide such additional information as may be required and to sign the resulting contract if said application is approved by the State;
3. That the Municipality agrees that it will fund its portion of the cost of said Municipal Gas Management project;
4. That five (5) certified copies of this Resolution be prepared and sent to the Director, Division of Materials Management, New York State Department of Environmental Conservation, 625 Broadway, Albany, New York 12233-7250, together with the application; and
5. That this Resolution take effect immediately.

Adopted by the following vote:

AYES____ NAYS____

Dated:

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Introductory No.

Resolution No. 4

Introduced by:

Seconded by:

RE: APPROVAL OF A PROFESSIONAL SERVICES WITH ENVIRONMENTAL ATTRIBUTE ADVISORS, LLC FOR CARBON CREDIT ADVISORY SERVICES, A NEW PROTOCOL AND A NEW DELIVERY SCHEDULE

WHEREAS, the Authority periodically requires professional financial advisory services related to the sale of carbon credits; and

WHEREAS, the current professional services agreement related to the sale of carbon credits expires on July 14, 2020; and

WHEREAS, Environmental Attribute Advisors, LLC specializes in environmental incentive programs including carbon credit advisory services to public agencies; and

WHEREAS, the Authority's carbon credit project previously generated carbon credits under the Climate Action Reserve (CAR) US Landfill Project Protocol Version 3.0 and in April 2019, CAR released US Landfill Project Protocol Version 5.0 which allows projects to generate an additional ten years of carbon credits if they meet certain criteria; and

WHEREAS, Environmental Attribute Advisors, LLC has evaluated the current market for carbon credits and based on such market information, recommends that the Authority enter into a new Delivery Schedule A with Google for the generation period July 15, 2020 through July 15, 2024; and

DELIVERY SCHEDULE A	
Generation Period	Anticipated Gross Revenue
July 15, 2020 – July 14, 2021	\$578,500
July 15, 2021 – July 14, 2022	\$617,500
July 15, 2022 – July 14, 2023	\$659,750
July 15, 2023 – July 15, 2024	\$705,250

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WHEREAS, the proposed Agreement with Environmental Attribute Advisors, LLC recognizes that the work will be done within the annual budget authorized by the Authority Board; now, therefore, be it

RESOLVED, that the Authority hereby approves the attached Agreement with Environmental Attribute Advisors, LLC for carbon credit advisory services and directs the Executive Director to take any action necessary to execute the Agreement; and be it further

RESOLVED, that the Authority hereby authorizes Environmental Attribute Advisors, on behalf of the Authority, to apply for approval under the new Landfill Project Protocol Version 5.0 and enter into a new Delivery Schedule A with Google for the sale of carbon credits and directs the Executive Director to take any action necessary to effect the sale of the carbon credits.

Adopted by the following vote:

AYES____ NAYS____

Dated:

Preserving the environment through integrated recovery and disposal.

Introductory No.

Resolution No. 5

Introduced by:

Seconded by:

**RE: APPROVAL OF ONEIDA-HERKIMER SOLID WASTE MANAGEMENT AUTHORITY MISSION
STATEMENT AND PERFORMANCE MEASURE REPORT FOR 2019**

WHEREAS, Section 2824-a of the New York State Public Authorities Law requires that the Oneida-Herkimer Solid Waste Management Authority (the "Authority") develop and adopt a Mission Statement and Performance Measures to assist the Authority in evaluating accomplishments of the mission and goals of the Authority; and

WHEREAS, the Authority was required to file a Mission Statement and Performance Measures with the Authorities Budget Office (ABO) on or before March 31, 2011; and

WHEREAS, the Authority adopted its Mission Statement and Performance Measures with adoption of Resolution No. 36 of 2010 and filed as required; and

WHEREAS, the Authority is also required to annually review its Mission Statement and Performance Measures and publish a Measurement Report; and

WHEREAS, the Governance Committee of the Oneida-Herkimer Solid Waste Management Authority has developed the attached Performance Measure Report for 2019 and recommends adoption by the full Board; now, therefore, be it

RESOLVED, that the Oneida-Herkimer Solid Waste Management Authority Board of Directors has reviewed and hereby approves the Authority's current Mission Statement without modifications at this time; and be it further

RESOLVED, that the Oneida-Herkimer Solid Waste Management Authority Board of Directors hereby approves the attached Performance Measure Report for 2019; and be it further

RESOLVED, that the Authority Board of Directors further directs the Secretary of the Board to file and post the Performance Measure Report for 2019 in accordance with the New York State Public Authorities Law.

Adopted by the following vote:

AYES__ NAYS__

Dated:

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Introductory No.

Resolution No. 6

Introduced by:

Seconded by:

RE: ANNUAL BOARD OF DIRECTORS EVALUATION

WHEREAS, Sections 2800(1)(a)(15), 2800(2)(a)(15) and Section 2824(7) of the New York State Public Authorities Law requires that the Oneida-Herkimer Solid Waste Management Authority Board of Directors (the “Authority”) conduct an annual evaluation of its performance; and

WHEREAS, Board members must be committed to the highest standards of corporate governance and hold itself accountable to the mission of the Authority and the public interest; and

WHEREAS, this annual assessment is a reminder to each Board member of his or her duties, why those responsibilities are important, and whether they are performing those duties appropriately; and

WHEREAS, the evaluation provides an opportunity for Board members to measure their individual and collective effectiveness, determine if they are following their own policies and procedures, identify areas for Board improvement, and to compare how their evaluation of the Board’s performance compares to that of other Board members; and

WHEREAS, the Authorities Budget Office (ABO) recommends that each Board member annually perform his/her own evaluation of the whole Board and the evaluation should be conducted confidentially with the results compiled by the Governance Committee; and

WHEREAS, to the extent that the results of the evaluation demonstrate the need for the Board to improve its performance, amend its practices or procedures, or clarify its expectations of Board members, the Board is expected to implement suitable corrective actions immediately; and

WHEREAS, the Oneida-Herkimer Solid Waste Management Authority approved an Evaluation form by Resolution No. 37 of 2010; and

WHEREAS, the Governance Committee of the Oneida-Herkimer Solid Waste Management Authority is required to annually review the Board of Directors Evaluation form and recommends no modifications at this time; and

WHEREAS, Board member comments are protected from disclosure under Article 6 of Public Officers Law, but summary of the results of the assessment are to be provided to the Authorities Budget Office (ABO); now, therefore, be it

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RESOLVED, that the Oneida-Herkimer Solid Waste Management Authority Board of Directors hereby approves the attached Confidential Evaluation of Board Performance with no modification at this time; and be it further

RESOLVED, that each Board Member will annually complete such evaluation and that member responses will be confidentially submitted to the Authority Governance Committee and then aggregated; and be it further

RESOLVED, that the Authority Board of Directors directs the Secretary of the Board to submit a summary of results of the Board of Directors Evaluation to the ABO via e-mail on or before March 31st of each year.

Adopted by the following vote:

AYES__ NAYS__

Dated:

Introductory No.

Resolution No. 7

Introduced by:

Seconded by:

RE: RE-APPOINTMENT OF CONTRACTING OFFICER RESPONSIBLE FOR THE DISPOSITION OF AUTHORITY PROPERTY AND APPROVAL OF THE PROCEDURE FOR THE DISPOSITION OF AUTHORITY PROPERTY

WHEREAS, since its formation, the Authority has advertised for the sale of, or placed or public auction, personal and real property no longer needed for Authority operations; and

WHEREAS, the Authority prepares and maintains an inventory of such surplus personal and real property; and

WHEREAS, Section 2896 of the New York State Public Authorities Accountability Act (PAAA) has required that the Authority adopt a procedure for the disposition of personal and real property which provides for inventory of property, public notice, open-competitive bidding, and documentation of property sold and that the Authority appoint a contracting officer to administer that procedure; and

WHEREAS, the PAAA requires that the Procedure for the Disposition of Authority Property be annually reviewed and approved by the Board of Directors; and

WHEREAS, the Authority Board adopted the Procedure for the Disposition of Property by Resolution No. 28 dated October 16, 2006; and

WHEREAS, in 2006, the Authority Board appointed James V. Biamonte, Authority Environmental Coordinator, to be the Contracting Officer as set forth in the Public Authorities Accountability Act; and

WHEREAS James V. Biamonte has been reappointed by the Authority Board as Contracting Officer each year since 2006; and

WHEREAS, the Board approved modifications to the Procedure for the Disposition of Authority Property by Resolution No. 1 dated March 17, 2008; Resolution No. 2 dated March 30, 2009; Resolution No. 4 dated March 29, 2010; Resolution No. 5 dated March 25, 2013; and Resolution No. 5 dated March 20, 2017; and

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WHEREAS, the Governance Committee reviewed the Procedure and is recommending no modifications at this time; now, therefore be it

RESOLVED, the Authority Board re-appoints James V. Biamonte to be the Contracting Officer for the period 2020-2021 and directs the Contracting Officer to take all actions required by Public AuthoritiesAccountability Act and the Procedure for the Disposition of Property; and be it further

RESOLVED, the Authority Board of Directors hereby approves the attached modified Procedure for the Disposition of Authority Property.

Adopted by the following vote:

AYES__ NAYS__

Dated:

Preserving the environment through integrated recovery and disposal.

Introductory No.

Resolution No. 8

Introduced by:

Seconded by:

RE: APPROVAL OF PROCUREMENT POLICY & DESIGNATION OF SOLE SOURCE VENDORS

WHEREAS, the Authority Board of Directors adopted a Procurement Policy by Resolution No. 3 on March 17, 2008 in compliance with the requirements of the New York State Public Authorities Accountability Act; and

WHEREAS, the Board approved amendments to the Procurement Policy by Resolution No. 6 on April 21, 2008, Resolution No. 6 on March 30, 2009 and Resolution No. 7 on March 23, 2015 ; and Resolution No. 7 on March 20, 2017; and

WHEREAS, the Board is required to review the Policy annually; and

WHEREAS, the Governance Committee reviewed the policy and is recommending further modifications at this time; now, therefore be it

RESOLVED, the Board of Directors hereby approves the attached modified Procurement Policy; and further be it

RESOLVED, that the Authority Board hereby designates and authorizes the following agencies, organizations and companies for sole source purchases, and directs the Executive Director to take all action necessary to implement such actions within the budget allocations approved by the Board and in conformance to the Authority Procurement Policy:

Sole Source

Applicable Federal, State, County, local governments, including school districts (payments in lieu of taxes, fees, health insurance, workers' compensation, regulatory payments/fees and host community payments)

Boonville Municipal Commission (electricity)

City of Utica Comptroller (annual solid waste service charge printing and billing)

National Grid (electricity and natural gas transmission)

NYS & Local Employee Retirement System (retirement plan)

Rome Daily Sentinel (legal notices)

Times Telegram [formerly Herkimer Evening Telegram] (legal notices)

Upper Mohawk Valley Regional Water Authority (water)

US Postal Service (mail)

Utica Observer Dispatch (legal notices)

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Accent Wire (Baler wire tie parts/service – MRF)
ADP (Payroll/HR software)
Aljon by C&C Mfg. (Compactor – Aljon parts distributor)
Atlantic Nuclear Corporation (Radiation Monitoring Equipment – RLF)
CED, Inc. (SCADA system software)
Creative Information Systems (scale computer software)
Eagle Truck Equipment (Scarab Windrow Turner parts)
Elkin Earthworks (Landfill Monitoring – calibration /service/data service)
Emery Winslow Scale Company (Compatible Emery Scale Replacement Parts)
Eriez (Eddy current parts – MRF)
Five Star Equipment (John Deere motor components)
Geologic Computer Systems (GPS software – RLF compaction)
Harris Baler Co. (Double Ram Baler – MRF)
Hustler Conveyor Co. (Sorting Discs, Screens – MRF)
Ingersoll Rand Co. (Regional Landfill compressor – parts/service)
Integrated Facility Systems, Inc. (HVAC computer control system – RLF and MRF)
Joest (vibrator, screen parts – MRF)
Kinequip (Kaeser Compressor – parts/service – MRF)
LC Whitford (Morbark Tub Grinder Parts)
Milton CAT – (late model equipment filters – no after-market available/warranty requirement, oil sample kits for warranty validation)
Paya Exchange (third party credit card processor)
QED (Landfill gas well leachate pumps)
R.M. Headlee (Landfill Knife Gate parts)
Recycling Equipment Service Corp. (Harris Baler parts)
Ryan Equipment (Landfill gas flare parts - John Zink distributor)
S&W Services (fuel management system parts and service – MRF, WTS, RLF)
Scott Equipment Co. (source separated organics processing system – ETS)
Siemens (SCADA software/hardware)
Specialty Tire Inc. (solid skid steer tires)
Statewide Aquastore (leachate tanks – RLF)
SWK Technologies (accounting system software support)
Tora Screening (McCloskey Trommel Screen parts)
VanDyk Baler Corp (Bollegraaf Balers/Titech Opticals – MRF)
Vantage Equipment (Volvo late model equipment filters – no after-market available/warranty requirement)
Warner Sales & Service (Bobcat parts)
Waste Corp (source separated organics processing pumps – ETS)
Wayne Dalton (commercial overhead doors – all facilities)
Website Pipeline (payment portal software)

; and be it further

RESOLVED, that additional sole source vendors/purchases will be identified to the Board as outlined in the Procurement Policy.

Adopted by the following vote:

AYES__ NAYS__

Dated:

Preserving the environment through integrated recovery and disposal.

Introductory No.

Resolution No. 9

Introduced by:

Seconded by:

RE: AUTHORIZING AND DIRECTING THE EXECUTIVE DIRECTOR TO SUBMIT/CERTIFY ALL REPORTS REQUIRED BY THE PUBLIC AUTHORITIES ACCOUNTABILITY ACT

WHEREAS, the Public Authorities Accountability Act requires submitting information to the Authority Budget Office through the Public Authority Reporting Information System (PARIS) including a Budget Report, Annual Report, Procurement Report, Investment Report and Certified Financial Audit; and

WHEREAS, the Authority's transparency is evident from its annual budget process that requires a public hearing, its reporting of financial and operating information to the Counties, and various reporting required by New York State; and

WHEREAS, the Authority's financial information and governance policies have been distributed to appointing bodies and distributed to the general public; and

WHEREAS, all such PARIS reporting shall be compiled from the records of the Authority, including the independent audit, annual budget, annual report and any other documents necessary; and

WHEREAS, all such information has been made available to the Authority Board of Directors; now, therefore, be it

RESOLVED, that the Authority Board of Directors hereby authorizes the Executive Director to ensure preparation and submit/certify all reports required by the Public Authorities Accountability Act.

Adopted by the following vote:

AYES__ NAYS__

Dated:

BOARD OF DIRECTORS

Kenneth A. Long
Chairman

Vincent J. Bono
Vice Chairman

Harry A. Hertline
Treasurer

Neil C. Angell

James M. D'Onofrio

James A. Franco

Barbara Freeman

Nancy A. Novak

Richard G. Redmond

James M. Williams

William A. Rabbia

Executive Director

Jodi M. Tuttle

Authority Board Secretary

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Introductory No.

Resolution No. 10

Introduced by:

Seconded by:

RE: APPROVAL OF CODE OF ETHICS POLICY AND FRAUD POLICY

WHEREAS, the Authority recognizes that there are certain standards of ethical conduct for employees that must be observed to maintain a high level of public confidence; and

WHEREAS, the Authority has from its inception placed a high priority on conducting all matters in the most ethical fashion and numerous steps have been taken to guard against fraudulent activities; and

WHEREAS, the Authority has in place policies and practices to address potentially fraudulent unethical activities as set forth in, but not limited to, the Authority Code of Ethics and other policies set forth in the Employee Handbook as well as the Authority Annual Ethics Disclosure & Statement of Board Responsibility; and

WHEREAS, the Governance Committee reviewed the Authority's current Code of Ethics Policy and is recommending no further modifications be made to the Code of Ethics Policy at this time; and

WHEREAS, the Governance Committee reviewed the Fraud Policy and is recommending no further modifications be made to the Fraud Policy at this time; now, therefore, be it

RESOLVED, that the Board of Directors hereby approves the attached Code of Ethics Policy without modifications; and further be it

RESOLVED, that the Board of Directors hereby approves the attached Fraud Policy without modification; and further be it

RESOLVED, the Board directs the Executive Director to post both policies at all Authority facilities and to provide annual written notices to employees, such as an enclosure with employee paychecks, which notifies employees of their responsibilities in regard to ethical conduct and fraudulent activities; and further be it

RESOLVED, that the Authority Board of Directors will continue to monitor activities and implement improvements in the future to protect against potential fraud and unethical practices.

Adopted by the following vote:

AYES__ NAYS__

Dated:

**BOARD OF
DIRECTORS**

Kenneth A. Long
Chairman

Harry A. Hertline
Treasurer

James M. D'Onofrio

James A. Franco

Barbara Freeman

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Richard G. Redmond

James M. Williams

William A. Rabbia
Executive Director

Jodi M. Tuttle
Authority Board Secretary

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Introductory No.

Resolution No. 11

Introduced by:

Seconded by:

RE: LIVESTREAMING/VIDEOCONFERENCING OF PUBLIC MEETINGS

WHEREAS, the Oneida-Herkimer Solid Waste Authority (Authority) is required to hold public meetings in accordance with the New York State Open Meetings Law; and

WHEREAS, the Authority prides itself on transparency and accountability; and

WHEREAS, in that effort, and at the recommendation of the Authority's Governance Committee, has determined that it would be in the best interest of the public to livestream its public meetings and public hearings; now, therefore, be it

RESOLVED, that the Authority will endeavor, to the extent practicable, to livestream its public meetings and public hearings on its website and/or through other social media in real-time and post video recordings of such meetings and public hearings on its website within five business days of the public meeting and/or public hearing and shall maintain such recordings for a period of not less than five years; and be it further

RESOLVED, that the Authority Secretary will inform the public that livestreaming/ videoconferencing will be used during the public meetings and/or hearings and inform the public of the internet address of the website streaming of such meetings and/or hearings.

Adopted by the following vote:

AYES__ NAYS__

Dated:

**BOARD OF
DIRECTORS**

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Chairman

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Vice Chairman

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Authority Board Secretary

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Introductory No.

Resolution No. 12

Introduced by:

Seconded by:

RE: AMENDMENT TO AUTHORITY BYLAWS

WHEREAS, the New York State Public Authorities Accountability Act requires that the Bylaws of the Authority be reviewed and updated periodically, and filed with the State Office; and

WHEREAS, the Governance Committee reviewed the Authority's current Bylaws and determined that a revision should be made to the Authority Bylaws; now, therefore, be it

RESOLVED, the Authority Board of Directors hereby approves the following revision to the Authority Bylaws:

Revise ARTICLE III Section 3.6 (2nd Paragraph) to read:

Any one or more Members of the Board may participate in a meeting of the Board by means of a video conference, which allows all persons participating in the meeting to hear and see each other at the same time. Participation by such means shall constitute presence in-person at such meeting. If a member is only able to call in to a meeting, the participation will be allowed, but the member may not vote.

; and be it further

RESOLVED, that the Authority Board of Directors hereby updates its Bylaws, previously amended in July 2002, March 2008, June 2008, March 2009 and March 2011; and the Board further directs the Secretary of the Board to file the Bylaws in accordance with the Public Authorities Accountability Act.

Adopted by the following vote:

AYES__ NAYS__

Dated:

**BOARD OF
DIRECTORS**

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